

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

PRIEST MOMOLU V.S. SIRLEAF, JR.,)	
)	
Plaintiff,)	Case No. 7:19CV00240
)	
v.)	OPINION
)	
ANDREW McCABE, ET AL.,)	By: James P. Jones
)	United States District Judge
Defendants.)	

Priest Momolu V.S. Sirleaf, Jr., Pro Se Plaintiff.

Plaintiff Priest Momolu V.S. Sirleaf, Jr., a Virginia inmate proceeding pro se, has filed a pleading that the court construed and docketed as a civil rights action under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971) against current and former federal government officials and the United States. Liberally construed, Sirleaf's Complaint alleges that these defendants have plotted to overthrow President Donald Trump, and their actions somehow violated Sirleaf's federally protected right to free exercise of his religion. He has not prepaid the filing costs for this action. After review of the Complaint, I conclude that the lawsuit must be summarily dismissed without prejudice as frivolous.

The court must dismiss any action or claim filed by a prisoner against a governmental entity or officer if the court determines that the action or claim is

frivolous, malicious, or fails to state a claim on which relief may be granted. 28 U.S.C. § 1915(e)(2)(b). A “frivolous” claim is one that “lacks an arguable basis either in law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989) (interpreting “frivolous” in former version of 28 U.S.C. § 1915(d)).

My statutory authority to summarily dismiss frivolous complaints includes “the unusual power to pierce the veil of the complaint’s factual allegations and dismiss those claims whose factual contentions are clearly baseless” or which describe “fantastic or delusional scenarios.” *Id.* at 327-28. Sirleaf’s claims in this lawsuit fall squarely in this class, and accordingly, I will summarily dismiss the action under § 1915(e)(2)(b)(i) as frivolous.

A separate Final Order will be entered herewith.

DATED: March 18, 2019

/s/ James P. Jones
United States District Judge